

REMARKS

Claims 7, 9 and 11 have been canceled without prejudice. New claim 15 has been added, and is essentially a revised version of claim 11 that conforms to the amendments made to claim 8. Claims 1-6, 8, 10 and 12-15 are currently pending. Reexamination and allowance of the pending claims is respectfully requested.

First, claim 9 has been canceled, thereby rendering the Section 112 rejection moot.

Second, claims 1-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over USP 4,118,038 to Watanabe ("Watanabe"). This rejection is respectfully traversed.

Independent claims 1 and 13 have not been amended. Independent claim 7 has been canceled without prejudice. Independent claim 8 has been amended to include the limitations of claim 9, which has been canceled.

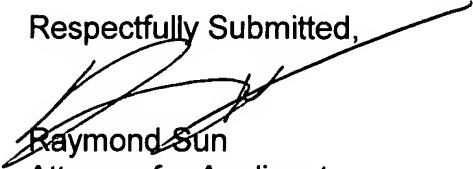
Independent claims 1, 8 and 13 all recite a disk reading device that can operate in two different disk receiving modes. Claims 1 and 13 further recite a switch or means for switching the receiving mode of operation, and claim 8 has been amended to recite "actuating a switch to change the receiving mode of the disk reading device". In contrast, it is respectfully submitted that Watanabe does not teach or remotely suggest these features, even with or without the taking of any official notice.

Specifically, Watanabe discloses a phonograph that only receives a record cartridge in one receiving mode, and not in two different modes. The Examiner acknowledges this because he takes official notice of the fact that drawing a disk into a disk receiving space is well-known in the art. However, even if the official notice can be properly taken (**which Applicant disputes**), Watanabe does not teach or suggest providing switches to switch the disk receiving mode that the disk reading device operates in.

Thus, independent claims 1, 8 and 13 are submitted to be allowable over Watanabe. Claims 2-6, 10, 12 and 14 depend from these claims, and are allowable for the same reasons.

Thus, it is respectfully submitted that all pending claims are in condition for allowance. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

Respectfully Submitted,


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Dated: November 4, 2004

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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By: 

Raymond Sun